

REMARKS

Claims 1-21 are all the claims pending in the application. The Examiner rejects claims 1-3, and 12 under 35 U.S.C. §102(b) as being anticipated by Suso et al. (US 6,069,648). The Examiner also rejects claims 8-9 and 19-20 under 35 U.S.C. §103(a) as being unpatentable over Suso; claim 4 as being unpatentable over Suso in view of Karube et al. (US App. 2001/0050711); claims 5-7 as being unpatentable over Suso in view of Karube and further in view of Kohno et al. (US 5,993,101); claims 11 and 21 as being unpatentable over Suso in view of Kohno; claims 13 and 14 as being unpatentable over Suso in view of Kawagoe-shi (EP 1 170 517); claim 15 as being unpatentable over Suso in view of Kawagoe-shi and further in view of Karube; and claims 16-18 as being unpatentable over Suso in view of Kawagoe-shi and further in view of Karube and Kohno. The Examiner further objects to the claims numbering, claim 10 having been inadvertently misnumbered.

Applicant appreciates acknowledgement of foreign priority under 35 U.S.C. §119(a)-(d).

Applicant amends claims 1-2 and 11-21. Claims 1-2, 11-12, and 21 are amended in response to the Examiner's rejections, and claims 11-21 are amended to renumber the claims as 10-20. For the sake of consistency with the Office Action, all the claim references herein are to the claims before renumbering.

102(b) Rejections

Suso Reference

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See, MPEP 2131.

The present invention relates to a folder type mobile communications terminal having a camera disposed on a hinge element wherein the camera is movable with two degrees of freedom with respect to the hinge element. As shown in the application, the terminal includes at least one manipulation device to rotate the camera about a lens axis and to pan the camera left to right along the hinge axis. The independent claims 1, 12, and 21 are amended to recite the limitation of the camera has a first and a second degree of movement relative to the manipulation device (claim 1) or the hinge connection element (claims 12 and 21).

Claims 1 and 12

Independent claims 1 and 12 stand rejected under 35 U.S.C. §102(b) as being anticipated by Suso. Suso relates to a folder-type mobile communications terminal having a camera disposed on the hinge connecting each part of the terminal. See, Suso, Fig. 1. Suso's camera 8 is disposed on the rotary shaft 7 (which is an element of a hinge assembly); the rotary shaft 7 couples to a housing member 6 allowing each of the cases 1 and 2 to rotate around a hinge axis. The camera housing 8 is disposed in such a manner as to allow the camera to be rotated around the hinge axis. Therefore Suso's camera has a single degree of movement relative to the hinge, i.e., to rotate around the hinge axis. See, Suso, col. 3:28-50, and FIG. 2.

As amended, claims 1 recites "the camera has a first and a second degree of movement relative to the manipulation device" and 12 recites "the camera has a first and a second degree of movement relative to the hinge connection element." The application's camera is affixed to the hinge connection element (which independently rotates around the hinge axis), and has two degrees of movement with respect the manipulation device or the hinge connection element; the camera rotates about an axis though the lens that is perpendicular to the hinge axis, and pans in a direction parallel to the hinge axis. Each of these degrees of movement is shown in the application's FIGS. 9 and 10. In addition to

these two degrees of movement relative to the manipulation device or the hinge connection element, the camera being affixed to the hinge connection element may also rotate around the hinge axis.

Suso, does not teach or reasonable suggest moving the camera in a first and a second degree of movement with respect to the camera housing which is an extension of the hinge. Therefore, Suso does not teach or reasonably suggest all the limitations of claims 1 and 12, and Suso does not anticipate the claims 1 and 12. Applicant respectfully requests reconsideration and withdrawal of the rejections in view of the above amendments and remarks.

§ 103(a) Rejection Suso and Kohno References

Claims 11 and 21 stand rejected as being unpatentable over Suso in view of Kohno. To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See, MPEP 2143.

Kohno is directed to a shaft coupling used in a color copier, and the Examiner relies upon Kohno for teaching that at least one shaft connecting the camera and the adjustment plate is axially displaced.

Claims 11 and 21 are amended to recite the limitation that “the camera has a first and a second degree of movement relative to the hinge connection element.” As discussed above, this limitation is not taught or reasonably suggested by Suso, and this limitation also is not taught or reasonably suggested by Kohno.

The Examiner also cites Karube and Kawagoe-shi with respect to the rejections of claims 4-7 and 13-18, neither of these references provides the limitation of "the camera has a first and a second degree of movement relative to the hinge connection element." Taken individually or in combination, Suso, Kohno, Karube and Kawagoe-shi do not teach all the limitations of claims 11 and 21, and therefore the *prima facie* case for obviousness must fail. Applicant respectfully requests reconsideration and withdrawal of the rejections in view of the above amendments and remarks.

Dependent claims 2-9, and 13-20

Each of the above listed dependent claims depends from a now allowable independent claim and is therefore allowable for at least this reason. Applicant respectfully requests reconsideration and withdrawal of the rejections.

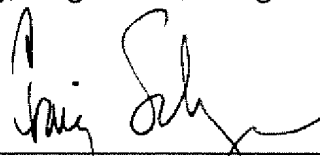
CONCLUSION

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain at issue which the Examiner feels may be best resolved through a telephone interview, the Examiner is kindly invited to contact the undersigned at (213) 623-2221.

Respectfully submitted,
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